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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,964	09/07/2000	Yoshinori Tahara	JP9-1999-0202	1949

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EXAMINER

OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 02/25/2004

18

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/656,964

Applicant(s)

TAHARA ET AL.

Examiner

Michael N. Opsasnick

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,8 and 12 is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other: _____

DETAILED ACTION

1. In view of the fact that relevant prior art has been published after the non-final rejection mailed on 8/27/2003, the prosecution on the merits of this application remains opened.

Allowable Subject Matter

2. Claims 4,8, and 12 are allowable over the prior art of record.
3. The following is a statement of reasons for the indication of allowable subject matter:
As per claims 4,8, and 12, the recited claim limitations pertaining to a speech recognition system utilizing a sounds like spelling scores in conjunction with a two layer voice recognition process is not explicitly taught by the prior art of record.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2655

5. Claims 1-3,5-7,9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hutchins (5208897) in view of Wilson (10/335226) in further view of IBM Technical Disclosure Bulletin (Vol. 35, Issue 1a, pp 59).

As per claims 1-3,5-7,9,10 Hutchins (5208897) teaches:

obtaining a word inscription specified by a user as ascii spelling of subsyllable
(Fig. 4a)

“searching a word dictionary.....corresponding to a word inscription” as
dictionary searching (col. 9 line 48 – col. 11 line 42)

“searching a pronunciation dictionary.....to obtain a base form” as
pronunciation/phonetic influences (col. 9 lines 13-45)

“registering the base form into a dictionary” as base form in the dictionary (col. 9
line 50 – col. 10 line 58).

Hutchins (5208897) teaches the concept of adding to a dictionary, but teaches away from continued adding to the dictionary (Hutchins (5208897), col. 10 lines 5-10). Wilson (10/335226) teaches speech recognition wherein spoken sounds are recognized, transcribed, and stored into memory via a trained sound dictionary, (building the dictionary), including spelling of the word (abstract, Figs. 1 and 2, page. 5, paragraph 0053; page. 6, paragraphs 0068,0074; page 7, paragraph 0079; page 12, paragraph 0149; page 16, paragraph 0202 and 0203). Therefore, it would have been obvious to one of ordinary skill in the art to modify the teachings of Hutchins (5208897) with a trained sound dictionary of words because it would advantageously allow for a

Art Unit: 2655

higher recognition rate tailored for individual users and more efficient dictionaries (Wilson (10/335226), page 16, paragraphs 0203 and 0204; page 6, paragraph 0074).

The combination of Hutchins (5208897) in view of Wilson (10/335226) teaches a speech recognition system based on subsyllable spellings wherein input speech is translated into subsyllables, accessing a word list (via a lookup table) with subsyllable spellings, performing a comparison, and outputting a result. The combination of Hutchins (5208897) in view of Wilson (10/335226) teaches the word list with subsyllable spellings (Hutchins, fig 4a, and Wilson, page 7, paragraph 0079), however, the combination does not explicitly use of ‘sounds-like-spelling’ nomenclature for the dictionary functions, however, IBM TDB teaches the use of ‘sounds like spelling’ in place of phonetic pronunciations in the Tangora Automatic Speech Recognizer (see disclosure text). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition to modify the teachings of Hutchins in view of Wilson with a ‘sounds like spelling’ technique because it would advantageously allow user to enter the information more accurately than the phonetic pronunciations (IBM TBD, disclosure text, near the end).

As per claims 2,6,10, the combination of Hutchins (5208897) in view of Wilson (10/335226) in view of IBM TDB teaches:

“sounds like spelling score” as scoring the sounds like spelling (IBM TBD)

As per claims 2-3,6,7,10, and 11, the combination of Hutchins (5208897) in view of Wilson (10/335226) in view of IBM TDB teaches displaying the sounds-like spelling (IBM TBD, lines 9-14)

As per claims 2-3,6,7,10, and 11, the combination of Hutchins (5208897) in view of Wilson (10/335226) in view of IBM TDB teaches determining a pronunciation score and threshold (Hutchins, Fig. 7, see related text of explanation of fig. 7)

As per claims 2,6,10, the combination of Hutchins (5208897) in view of Wilson (10/335226) in view of IBM TDB teaches showing system status and recognition results (Hutchins, fig. 3)

As per claims 3,7, and 11, the combination of Hutchins (5208897) in view of Wilson (10/335226) in view of IBM TDB teaches retrieving voice information, matching, and a second voice pronunciation matching (Hutchins, col. 32 line 1-31).

Response to Arguments

6. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection. Examiner notes 1)the Wilson reference teaches the spelling of the word, used in updating the dictionary; 2) the motivation to combine the Hutchins and Wilson reference, as noted above and 3) the combination of Hutchins and Wilson teaching the updated dictionary by user spellings.

The applicant's arguments presented in the supplemental appeal brief are noted and addressed as follows:

With respect to the arguments on pages 5-6 as to the motivation to combine the references, examiner points to the presented motivation to combine, as provided by the applicant on this page, as well as the motivation to combine as presented above in the current 103

Art Unit: 2655

rejection. Furthermore, as per the applicant's arguments on page 6 that the alleged reason to combine as presented is based on 'subjective belief and unknown authority', examiner disagrees and argues that all of the motivational statements have come from the references themselves (e.g., IBM TDB teaching that sounds like spellings are easier for users to understand and enter, as well as to make corrections in the examples disclosed in the TDB -- the AAA vs triple A example, and the examples following; and the combination of Hutchins in view of Wilson as presented above, clearly showing in the Wilson reference the motivation to combine).

With respect to the applicant's arguments (presented on page 7) stating that Hutchins does not teach registration of words in a speech recognition dictionary, examiner argues that the combination of Hutchins in view of Wilson teaches the word registration (see rejection above).

With respect to the applicant's arguments (presented on page 7) stating that Hutchins does not teach searching the dictionary, examiner again points to the previously referred to section of Hutchins, col. 9 line 48 – col. 11 line 42, wherein Hutchins repeatedly refers to accessing a dictionary (e.g., col. 10 lines 4-9, col. 10 lines 35-45, col. 11 lines 15-24).

With respect to the applicant's arguments (presented on page 7) stating that Hutchins fails to teach searching for a baseform, examiner argues that the referred section of Hutchins shows the searching of the pronunciation information via a phonetic table, which refers to fig. 4b, being used in the operation of fig. 4a; furthermore, Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

With respect to the applicant's arguments (presented on page 7) stating that Hutchins fails to disclose registering a base form of a word, examiner argues that it is the combination of Hutchins in view of Wilson that teaches this feature.

With respect to the applicant's arguments presented in the first paragraph of page 8, examiner points to the new art rejection presented above.

With respect to the applicant's arguments presented on the last half of page 8, the applicant In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the applicant is arguing the specification, and not the scope of the claim language. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's arguments presented on pages 9-11 of the supplemental appeal brief are noted as similar arguments presented previously in the supplemental appeal brief; therefore, the examiner rebuttal to these arguments is similar to the rebuttal presented above.

Conclusion

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

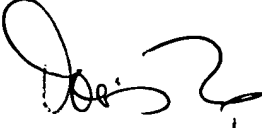
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for this group is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

mno
2/5/2004


DORIS H. TO 2/20/04
SUPERVISORY PATENT EXAMINER
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